

# CHAPTER 119 SUBDIVISION REGULATIONS

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**119-1. Purpose of Chapter.** 1. The purpose of this chapter is to:

- a. Promote the public health, safety and general welfare.
- b. Lessen congestion in the streets and highways.
- c. Further the orderly layout and use of land.
- d. Provide adequate light and air.
- e. Prevent the overcrowding of land.
- f. Facilitate adequate and economical provision for water, sewerage and other public requirements.
- g. Provide for proper ingress and egress.
- h. Promote proper monumenting of land subdivided.
- i. Encourage conveyance by accurate legal description, prevent and control erosion, sedimentation and other pollution of the surface and subsurface waters, further the maintenance of safe and healthful water conditions, and prevent flood damage to persons and property and minimize expenditures for flood relief and flood control projects.

2. The approvals to be obtained by the subdivider as required in this chapter shall be based on requirements designed to accomplish the purposes listed in sub. 1.

**119-2. Definitions.** 1. STATUTORY DEFINITIONS. All terms which are defined in ch. 236, Wis. Stats., as amended, shall have the same meaning as ascribed thereto in that chapter, unless otherwise defined in this chapter.

2. COMMISSION means the city plan commission.

3. COUNCIL means the common council of the city of Milwaukee.

4. DEPARTMENT means the department of city development.

**119-3. Methods.** Any division of land within the city shall be conducted in accordance with this chapter and approved by the council in accordance with this chapter except as provided in sub. 3.

1. FOUR PARCELS OR LESS. Any land division creating up to 4 parcels of any size shall be surveyed and submitted for approval as either a certified survey map or a subdivision plat.

2. MORE THAN 4 PARCELS. Any land division creating more than 4 parcels of any size shall be surveyed and submitted for approval as a subdivision plat.

3. EXCEPTIONS. This section does not apply to:

a. Transfers of interest in land by will, pursuant to court order.

b. Leases for a term not to exceed 10 years, mortgages or easements.

c. The sale or exchange of parcels of land between owners of adjoining property if additional lots are not thereby created and the lots resulting are not reduced below the minimum sizes required by ch. 236, Wis. Stats., or ch. 295.

## 119-4 Subdivision Regulations

**119-4. Application.** 1. FEES. No submittal of a final subdivision plat or final certified survey map, except those originated by city or county agencies, shall be recommended for approval until the filing fee required by ss. 81-19, 81-96 or 81-97 has been provided by the subdivider. The submission of final plats, final certified survey maps or correction instrument shall include a check or draft payable to the register of deeds for Milwaukee County for the recording fee. Such check or draft shall be held by the department until final adoption by the council.

2. SUBMISSION. All subdivision plats, certified survey maps and correction instruments shall be submitted to the department for processing and coordination of technical reviews.

3. RECORDING. Upon return of the documents by the city clerk, the department shall record the subdivision plat, certified survey map or correction instrument in the office of the register of deeds.

**119-5. Procedures.** 1. PRELIMINARY CERTIFIED SURVEY MAPS. a. The department shall be responsible for the approval, conditional approval or disapproval of all preliminary certified survey maps not dedicating land to the city for a public purpose. When a certified survey map provides such dedications, the commission shall be responsible for such approval, conditional approval or disapproval. The filing of a preliminary map may be waived by the department where the subdivider or surveyor first consults with the department concerning the requirements of this chapter as they pertain to the proposed division of a lot parcel, or tract of land.

b. A report from the department or commission shall be transmitted to the subdivider within 30 working days of submittal indicating either approval, conditions for approval or the reasons for disapproval. Actions by the department or commission may be appealed by the subdivider directly to the commission if so requested within 30 days of the submission of the report.

2. FINAL CERTIFIED SURVEY MAPS. Final maps will become null and void if not submitted within 60 days of the report on the preliminary map unless the submission of the preliminary map has been waived by the

department. Final maps shall be considered in the same manner as preliminary maps except that after review by the city engineer and city treasurer, the recommendation of the department or commission shall be forwarded to the council for consideration.

3. PRELIMINARY PLATS. a. Upon completion of the review and processing of a preliminary plat by the department, the plat shall be scheduled for consideration by the commission. The commission shall approve, conditionally approve or disapprove the plat within 90 days after filing unless the time is extended by agreement with the subdivider. An indication of the commission's action shall be affixed upon the face of each plat. Time of filing shall be construed as being the time the preliminary plat is received by the commission at the first meeting of the commission following submission.

b. The commission shall forward a report to the subdivider stating its action of approval, conditions of approval or the reasons for disapproval. The subdivider may appeal such actions directly to the commission if a request is made within 30 days of the date of the report of the commission.

4. FINAL PLATS. a. Final plats shall be submitted to the department within 6 months following the date of the report on the preliminary plat by the commission, otherwise the approval of the preliminary plat shall become null and void.

b. Final plats shall be considered in the same manner as preliminary plats except that, after review by the city engineer, commissioner of public works and city treasurer, the commission shall prepare a report thereon and forward its recommendation to the council for consideration.

c. Council action shall take place within 60 days after filing unless the time had been extended by agreement with the applicant. If the council fails to act within 60 days and the time has not been extended by agreement, the plat shall be deemed approved and, upon demand, a certificate to that effect shall be made on the face of the plat by the city clerk.

d. Time of filing shall be construed as being the time the final plat is introduced into the council.

5. CORRECTIONS. Instruments correcting surveying data, certificates or other details of a recorded subdivision plat or certified survey map shall be prepared by a registered land surveyor. Correction instruments shall be referred to the commission and its recommendation forwarded to the council for consideration.

**119-6. Submission Requirements; Preliminary Maps and Plats.** Preliminary certified survey maps and preliminary plats shall meet following requirements:

1. Two copies of a preliminary certified survey map having dimensions of not more than 8-1/2 by 13 inches and 17 copies of a preliminary plat of any reasonable size having overall dimensions that are multiples of 8-1/2 by 13 inches.

2. Preliminary certified survey maps and preliminary plats shall be so designated and a preliminary plat shall also contain the name of the proposed subdivision.

3. The name and address of the owner.

4. A caption giving its location by government lot, quarter section, township, range, city, county and state including sufficient description to clearly define the land or lot and block and subdivision name or parcel number and certified survey map number of the property included in the plat or map.

5. North point, date and scale. The property shown on a plat or map may be drawn to any scale provided that the dimensions and other information shown thereon are legible.

6. A vicinity map.

7. The name and address of registered surveyor preparing plat or map.

8. The length and bearing of the exterior boundaries of the proposed subdivision or map.

9. Names of adjacent recorded subdivisions or certified survey maps.

10. The location, widths and names of all existing or platted streets, alleys, pedestrian ways or other public ways and easements, railroad and utility rights-of-way, parks, cemeteries, drainage ditches, water courses, bridges and other permanent or temporary buildings or structures, and other public places.

11. The layout and width of all new streets and rights-of-way such as alleys, pedestrian ways, highways, easements for sewers, water mains and other public utilities, such as underground electric power, street lighting, telephone, cable television installations and drainage ditches and water courses.

12. Dimensions of lots and other land areas.

13. Approximate radii of all curves and lengths of tangents.

14. Land intended to be dedicated for public use, or to be reserved by deed covenant for use of all property owners in the subdivision, or certified survey map with conditions, if any, of such dedication or reservations. Private property held in common and not dedicated for public use shall be so indicated.

15. Flood plain district limits, including the contour line of the floodway, the regional flood profile elevation (100 year flood) and the contour line 2 feet above the vertical distance of the regional flood profile elevation or, where such data is not available, 5 feet above the maximum flood of record.

**119-7. Submission Requirements; Final Maps.** Final certified survey maps shall meet the following requirements:

1. The certified survey map shall be drawn in waterproof, non-fading, black India ink on sheets of durable white 80 pound opaque drawing paper of at least .0069 inch thickness, 8-1/2 inches wide by 14 inches long, with a 1-1/2 inch binding margin at the top of the 8-1/2 inch width, and a blank space 2 inches wide along the 8-1/2 inch dimension at the bottom of the first sheet for recording municipal action and a 1/2 inch margin on all other sides. When more than one sheet is used for any one map, they shall be numbered consecutively and each sheet shall contain a notation showing the whole number of sheets of the map and its relation to the other sheets.

2. The certified survey map shall contain an identification title and caption lettered or typed in capital letters on the top of the map under the required binding margin, and shall include provisions for the certified survey map number and the city of Milwaukee tax key number. Successive sheets of the same map shall have the identical title in the same position as the first sheet excluding the tax key number.

### 119-7-3 Subdivision Regulations

3. Directly under the identification title shall be typed or lettered a caption giving its location by government lot, quarter-quarter section, township, range, city, county and state including sufficient description to clearly define the lands or lot and block and recorded subdivision or parcel number and certified survey map number of the property included in the map.

4. A legal description giving a clear and concise description of the land surveyed by bearings and distances, commencing with some corner marked and established in the U.S. public land survey or some corner providing reference to a corner marked and established in the U.S. public land survey. When the description is referenced to a quarter section or section corner, a description of the material of which the corner marker is composed shall be shown on the face of the map.

5. Final maps shall be drawn with waterproof, nonfading, black India ink except that any certificates may be typewritten in black.

6. A small vicinity drawing of the section or 1/4 section naming, if any, the peripheral streets of the area in which the land under consideration is situated. This drawing shall show a north point and scale and shall be orientated on the sheet in the same direction as the main drawing. An outline of the land surveyed shall be shaded in on the vicinity map in its proper location.

7. A legend defining the monuments placed, corners and other points established in the field and the material of which such monuments, corners and other points are composed of, as well as dimensions thereof. The legend shall indicate the kind of metal, the diameter, length and weight per lineal foot of the monuments. The legend shall also indicate the section line or 1/4 section line and the assumed bearing thereof to which the bearings shown on the mapped property are referenced.

8. A north point referenced to a line established in the U.S. Public Land Survey and graphic scale. The property shown may be drawn to any scale provided that the dimensions and other information shown thereon are legible.

9. The exact length to the nearest 1/100 of a foot and bearing in degrees, minutes and seconds of the exterior

boundaries, the boundary lines of all public grounds, streets and alleys, and all lot lines, except that when the lines in any tier of lots are parallel it shall be sufficient to mark the bearings of the outer lines on one tier thereof. Where the exterior boundary lines show bearings or lengths which vary from those recorded in abutting plats or certified survey maps there shall be the following note placed along such lines, "recorded as (show recorded bearing or length or both)."

10. The area in square feet of each lot, parcel or outlot. All lots, parcels or outlots shall be consecutively numbered.

11. The width of all streets, pedestrian ways, alleys and easements. Parallel easement lines shall be shown by center line distance, bearing and width when easements are not parallel to a boundary or lot line. Where easement lines are parallel to boundary or lot lines, the boundary or lot line distances and bearings are controlling.

12. The center line of all streets, with lengths and bearings thereof, dedicated on the plat or map.

13. All lake or stream shore meander lines established by the surveyor in accordance with s. 236.15(1)(d), Wis. Stats., the distances and bearings thereof, and the distance between the point of intersection of such meander lines with lot lines and the ordinary high water mark.

14. The number of degrees, minutes and seconds in all exterior boundary and block angles.

15. All private easements, roads, streets, ways, alleys, off-street parking areas and other land reserved for private use which are not dedicated to public use shall be clearly marked thereon "Private Road", "Private Street", "Private Way", "Electric Power Line Easement", "Street Lighting Easement" or "Telephone Line Easement" for underground or overhead installation as required.

16. All parks, parkways, playgrounds other lands intended to be dedicated to public use by the map shall be clearly marked thereof "dedicated to the public for use as a park, parkway or playground". All streets, pedestrian ways and alleys to be dedicated to public use by the map shall be clearly marked thereon "Dedicated to the City of Milwaukee for public street pedestrian way or alley purpose."

**17.** All watercourses, drainage ditches and other existing features pertinent to proper subdivision.

**18.** All existing buildings and structures must be shown except those which are not relevant to the proposed division as determined by the department.

**19.** When a curve is used, the main chord thereof shall be drawn as a dotted line in its proper place, and either on the curve or on an adjoining table shall be noted its bearing and length, the radius, the angle between the main chord and the tangent to the curve, the central angle and the arc length of the curve. The tangent bearing shall also be shown at the end of the main chord for a circular curve and adjacent reverse curve or at the point of intersection of a curve to a straight line which is not tangent to the curve.

**20.** Name of each road or street shall be indicated in prominent letters and shall be in conformity with the street designation system of the city of Milwaukee. Names of all roads and streets shall be determined by the city engineer.

**21.** Abutting public street and state highway right-of-way lines and the width thereof shall be shown by dotted or dashed lines in their proper location.

**22.** The names of adjoining streets, state highways and recorded subdivision plats shall be shown in waterproof nonfading black India ink underscored by dotted or dashed lines.

**23.** Flood plain district limits, including contour line of the floodway, the regional flood profile elevation (100 year flood) and the contour line 2 feet above the vertical distance of the regional flood profile elevation or, where such data is not available, 5 feet above the maximum flood of record.

**24.** When strict compliance with subs. 1 to 22 will entail undue or unnecessary difficulty or tend to render the plat or certified survey map more difficult to read, and when the information on the plat or certified survey map is sufficient for the exact retracement of the measurements and bearings or other necessary dimensions, the city engineer may waive such strict compliance.

**119-8. Required Certificates, Agreements and Resolution; Final Maps. 1.** All final certified survey maps shall have the following certificates, agreements and resolutions typed or lettered thereon:

a. Surveyor's certificate.

b. An individual or corporate owner's certificate. Owner's certificates shall be signed by all individuals holding an interest in the fee of record at the time that the certified survey map is submitted to the council for final consideration.

c. Consent of individual or corporate mortgagee. (Required only where the certified survey map indicates a dedication of land to the city for public street, alley, pedestrian way or other public purpose.)

d. A certificate of the treasurer.

e. A council resolution or certificate of approval.

**2.** The certificates, agreements and resolutions required under sub. 1 shall be in the following form or variations thereof:

## 119-8-2-a Subdivision Regulations

- a. Form No. 1: Certified Survey Map.

## SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN )  
 ) ss

MILWAUKEE COUNTY )

I, (type or print name), registered surveyor, certify:

That I have surveyed, divided and mapped a part of the \_\_\_\_\_ in the City of Milwaukee, Milwaukee County, Wisconsin, which is bounded and described as follows:

(Description of the land surveyed with a bearing and distance for each course, commencing with some corner marked and established in the U.S. public land survey or some corner providing reference to a corner marked and established in the U.S. public land survey. Dedications of land for public rights-of-way should be included.)

That I have made the survey, land division, and map by the direction of (owner's name).

That the map is a correct representation of all the exterior boundaries of the land surveyed and the land division thereof made.

That I have fully complied with Chapter 236 of the Wisconsin Statutes and Chapter 119 of the Milwaukee Code of Ordinances in surveying, dividing and mapping the same.

(Type or print name), Registered Wisconsin Land Surveyor, (Number)

(Surveyor's Seal)

b. Form No. 2: Certified Survey Map.

**INDIVIDUAL OWNER'S CERTIFICATE**

As owner(s), I (we) certify that I (we) caused the land described on this map to be surveyed, divided, mapped and dedicated as represented on this map in accordance with the requirements of Chapter 119 of the Milwaukee Code of Ordinances.

In consideration of the approval of the map by the Common Council of the City of Milwaukee and in accordance with Chapter 119 of the Milwaukee Code, the undersigned agrees:

a. That all utility lines to provide electric power and telephone service and cable television or communications systems lines or cables to all lots in the subdivision shall be installed underground in easements provided therefor.

Note: Additional agreements between the City and owner shall also be included where applicable, for example, the removal of buildings or structures in public right-of-ways, and restrictions prohibiting direct vehicular access to major streets. Such applicable agreements shall be in the following forms:

b. That the removal of buildings and structures and restoration of site within the dedicated public right-of-way in (street name) will be performed by the owner at no expense to the City of Milwaukee.

c. That direct vehicular access from Lot \_\_, Parcel \_\_, Block \_\_, to (street name) is prohibited.

This agreement shall be binding on the undersigned and assigns.

Witness the hands and seals of said owners this \_\_ day of \_\_, 19\_\_.

In the presence of:

\_\_\_\_\_  
(Witness)

\_\_\_\_\_  
(Type or print name)

STATE OF WISCONSIN)

); ss

MILWAUKEE COUNTY )

Personally came before me this \_\_ day of \_\_, 19\_\_, the above named \_\_\_\_\_, to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

(Notary Seal)

\_\_\_\_\_  
(Type or print name), Notary Public

State of Wisconsin

My commission expires \_\_\_\_\_

My commission is permanent.

## 119-8-2-c Subdivision Regulations

- c. Form No. 3: Certified Survey Map.

### CORPORATE OWNER'S CERTIFICATE

(Corporate Name), a corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, certifies that said corporation caused the land described on this map to be surveyed, divided, mapped and dedicated as represented on this map in accordance with the requirements of Chapter 119 of the Milwaukee Code of Ordinances.

In consideration of the approval of the map by the Common Council and in accordance with Chapter 119 of the Milwaukee Code, the undersigned agrees:

a. That all utility lines to provide electric power and telephone services and cable television or communications systems lines or cable to all lots in the subdivision shall be installed underground in easements provided therefor.

Note: Additional agreements between the City and owner shall also be included, when applicable, for example, the removal of buildings or structures in public right-of-ways, and restrictions prohibiting direct vehicular access to major streets. Such applicable agreements shall be in the following forms:

b. That the removal of buildings and structures and restoration of site within the dedicated public right-of-way in (street name) will be performed by the owner(s) at no expense to the City of Milwaukee.

c. That direct vehicular from Lot \_\_, Parcel \_\_, Block \_\_, to (street name) is prohibited. This agreement shall be binding on the undersigned and assigns.

In Witness Whereof, the (corporate name) has caused these presents to be signed by \_\_\_\_\_, its President; and countersigned by \_\_\_\_\_, its Secretary, at \_\_\_\_\_, Wisconsin, this \_\_\_\_ day of \_\_\_\_\_, 19\_\_.

In the presence of:

\_\_\_\_\_  
(Corporate Name)

\_\_\_\_\_  
(Witness)

\_\_\_\_\_  
(Type or print name), President

\_\_\_\_\_  
(Witness)

\_\_\_\_\_  
(Type or print name), Secretary

STATE OF WISCONSIN)

)ss.

MILWAUKEE COUNTY )

Personally came before me this \_\_\_\_ day of \_\_\_\_\_, 19\_\_, \_\_\_\_\_ President, and \_\_\_\_\_, Secretary of the above named corporation, to me known as the persons who executed the foregoing instrument, and to me known to be the President and Secretary of the corporation, and acknowledged that they executed the foregoing instrument as such officers as the deed of the corporation, by its authority.

(Notary Seal)

\_\_\_\_\_  
(Type or print name), Notary Public  
State of Wisconsin  
My commission expires \_\_\_\_\_  
My commission is permanent.



d. Form No. 4: Certified Survey Map.

**CONSENT OF INDIVIDUAL MORTGAGEE**

I, (type or print name), mortgagee of the above described land, do hereby consent to the surveying, dividing, mapping, restricting and dedication of the land described in the foregoing affidavit of (type or print name), surveyor, and I do hereby consent to the above certificate of (type or print name), owner.

Witness the hand and seal of (type or print name), mortgagee, this \_\_\_\_ day of \_\_\_\_\_, 19\_\_.

In the presence of:

\_\_\_\_\_  
(Witness)

(Type or print name)

STATE OF WISCONSIN)

)ss.

MILWAUKEE COUNTY )

Personally came before me this \_\_\_\_ day of \_\_\_\_\_, 19\_\_, the above named \_\_\_\_\_  
\_\_ to me known to be the person who executed the foregoing instrument and acknowledged the same.

(Notary Seal)

\_\_\_\_\_  
(Type or print name) Notary Public  
State of Wisconsin  
My commission expires \_\_\_\_\_  
My commission is permanent.

**119-8-2-e Subdivision Regulations**

e. Form No. 5: Certified Survey Map.

**CONSENT OF CORPORATE MORTGAGEE**

(Corporate Name), a corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, mortgagee of the above described land, consents to the surveying, dividing, mapping, restricting and dedication of the land described in the foregoing affidavit of (type or print name), surveyor, and consents to the above certificate of (type or print name), owner.

In Witness Whereof, the (corporate name), has caused these presents to be signed by \_\_\_\_\_, its President, and countersigned by \_\_\_\_\_, its Secretary, at \_\_\_\_\_, Wisconsin, this \_\_\_\_ day of \_\_\_\_\_, 19\_\_.

In the presence of:

\_\_\_\_\_  
(Corporate Name)

\_\_\_\_\_  
(Witness)

\_\_\_\_\_  
(Type or print name), President

\_\_\_\_\_  
(Witness)

\_\_\_\_\_  
(Type or print name), Secretary

STATE OF WISCONSIN)

)ss.

MILWAUKEE COUNTY )

Personally came before me this \_\_\_\_ day of \_\_\_\_\_, 19\_\_, \_\_\_\_\_, President, and \_\_\_\_\_, Secretary, of the above named corporation, to me known to be the persons who executed the foregoing instrument, and to me known to be the President and Secretary of the corporation, and acknowledged that they executed the foregoing instrument as such officers as the deed of the corporation.

(Notary Seal)

\_\_\_\_\_  
(Type or print name), Notary Public  
State of Wisconsin  
My commission expires \_\_\_\_\_  
My commission is permanent.

f. Form No. 6: Certified Survey Map.

**CERTIFICATE OF CITY TREASURER**

STATE OF WISCONSIN)

)ss.

MILWAUKEE COUNTY )

I, (type or print name), being the duly elected, qualified and acting City Treasurer of the City of Milwaukee, certify that in accordance with the records in the office of the City Treasurer of the City of Milwaukee there are no unpaid taxes or unpaid special assessments on the land included in this certified survey map.

(Date)

\_\_\_\_\_  
(Type or print name), City Treasurer

**119-8-2-g Subdivision Regulations**

g. Form No. 7: Certified Survey Map.

**COMMON COUNCIL  
CERTIFICATE OF APPROVAL**

I certify that this certified survey map was approved under Resolution File No. \_\_\_\_\_,  
adopted by the Common Council of the City of Milwaukee on \_\_\_\_\_.

\_\_\_\_\_  
(Type or print name), City Clerk

\_\_\_\_\_  
(Type or print name), Mayor

**119-9. Submission Requirements; Final Subdivision Plats.** All final plats shall meet the following requirements:

1. All plats shall be drawn on one or more sheets 22 inches wide by 30 inches long, of muslin-backed white paper, or they shall be drawn on good quality white tracing paper and reproduced with photographic silver haloid image on double matt mylar film of not less than 4 mil thickness of the same size specified above. Subdivision plats intended to be recorded on mylar film shall initially be drawn and typed on good quality white tracing paper and submitted to the department for processing and approval. The mylar film of the subdivision plat tracing shall be made by the department when all the required municipal approvals and signatures have been obtained and the city clerk forwards the plat to the department for recording under s. 119-4-1. When more than one sheet is used for any one plat, they shall be numbered consecutively and each sheet shall contain a notation showing the whole number of sheets in the plat and its relation to the other sheets. The plat shall have a binding margin of 1-1/2 inches on the left side of the 30 inch length and one inch margin on all other sides, and there shall be provided a blank space not less than 2 inches wide along the 22 inch dimension of the bottom of the first sheet for recording municipal action.

2. The name of the plat shall be typed or lettered thereon in prominent letters and shall not be a duplicate of the name of any plat previously recorded in the same county or municipality.

3. Directly under the name given to the plat shall be typed or lettered a caption giving the location of the subdivision by government lot, recorded private claim, quarter-quarter section, section, township, range, city, county and state. The location of the subdivision shall be indicated by bearing and distance from the boundary line of a quarter section, recorded private claim or federal reservation in which the subdivision is located. The monumentation at the ends of a boundary line shall be described and the bearing and distance between them shown.

4. A legal description giving the exact location of the subdivision indicated by distances and bearings with reference to the nearest exterior line, north-south quarter line or east-west quarter line of a section in which the subdivision is situated and a corner established in the U.S. public land survey that establishes one end of this line. A description of the material of which the corner marker is composed shall be shown.

5. Final subdivision plats shall be drawn with waterproof, nonfading, black india ink except that any certificates may be typewritten in black.

6. Final plats shall show all the information required under s. 119-7-6 to 24.

7. All blocks shall be consecutively numbered or lettered in numerical or alphabetical order; provided that the blocks in numbered additions to subdivisions bearing the same name shall be numbered or lettered consecutively through the several additions. All lots and outlots in each block shall be consecutively numbered.

**119-10. Required Certificates, Agreements and Resolutions; Final Plats.**

1. All final subdivision plats shall have the following certificates, agreements and resolutions typed or lettered thereon:

- a. A surveyor's certificate.
- b. An individual or corporate owner's certificate. Owner's certificates shall be signed by all individuals holding an interest in the fee of record at the time that the final subdivision plat is submitted to the council for final consideration.
- c. Consent of individual or corporate mortgagee. (Required only where the final subdivision plat indicates a dedication of land to the city for public street, alley, pedestrian way or other public purpose.)
- d. A certificate of the city treasurer.
- e. A certificate of the county treasurer.
- f. A council resolution or certificate of approval.

2. The certificates, agreements and resolutions required under sub. 1 shall be in the following form or variations thereof:

**119-10-2-a Subdivision Regulations**

a. Form No. 1: Subdivision Plat.

**SURVEYOR'S CERTIFICATE**

STATE OF WISCONSIN)

)ss.

MILWAUKEE COUNTY )

I, (type or print name), registered surveyor, certify:

That I have surveyed, divided, and mapped (Subdivision Name), being a subdivision of part of the \_\_\_\_\_ in the City of Milwaukee, County of Milwaukee and the State of Wisconsin, bounded and described as follows:

(Description of the land surveyed with a bearing and distance for each course, commencing with some corner marked and established in the U.S. public land survey or some corner providing reference to a corner marked and established in the U.S. public land survey. Dedication of land for public rights-of-way should be included.)

That I have made such survey, land division, and plat by the direction of (type or print owner's name).

That such plat is a correct representation of all the exterior boundaries of the land surveyed and the land division thereof made.

That I have fully complied with the provisions of Chapter 236 of the Wisconsin Statutes and Chapter 119 of the Milwaukee Code of Ordinances in surveying, dividing and mapping the same.

\_\_\_\_\_  
(Type or print name)

Registered Wisconsin Land Surveyor, (Number)

\_\_\_\_\_  
(Surveyor's Seal)

b. Form No. 2: Subdivision Plat.

**INDIVIDUAL OWNER'S CERTIFICATE**

As owner(s), I (we) certify that I (we) caused the land described in the foregoing certificate of (type or print name), surveyor, to be surveyed, divided, mapped and dedicated or represented on this plat.

In consideration of the approval of the plat by the Common Council and in accordance with Chapter 119 of the Milwaukee Code of Ordinances, the undersigned agrees:

a. That all utility lines to provide electric power and telephone service and cable television or communications systems lines or cables in all lots in the certified survey map shall be installed underground in easements provided therefor where feasible.

Note: Additional agreements between the city and owner shall also be included where applicable, for example, the removal of buildings or structures in public right-of-ways, and restrictions prohibiting direct access to major streets. Such applicable agreements shall be in the following form:

b. That the removal of buildings and restoration of site within the dedicated public right-of-way in (street name) will be performed by the owner at no expense to the City of Milwaukee.

c. That direct vehicular access from Lot \_\_\_\_\_, Parcel \_\_\_\_\_, Block \_\_\_\_\_ to (street name) is prohibited.

This agreement shall be binding on the undersigned and assigns.

Witness the hands and seals of said owners this \_\_\_\_ day of \_\_\_\_, 19\_\_.

In the presence of:

\_\_\_\_\_  
(Witness)

\_\_\_\_\_  
(Witness)

\_\_\_\_\_  
(Type or print name)

STATE OF WISCONSIN )

)ss.

MILWAUKEE COUNTY )

Personally came before me this \_\_\_\_ day of \_\_\_\_\_, 19\_\_, the above named \_\_\_\_\_, to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

(Notary Seal)

\_\_\_\_\_  
(Type or print name), Notary Public

State of Wisconsin

My commission expires \_\_\_\_\_

My commission is permanent.

**119-10-2-c Subdivision Regulations**

c. Form No. 3: Subdivision Plat.

**CORPORATE OWNER'S CERTIFICATE**

(Corporate Name), a corporation duly organized and existing under and by virtue of the laws of the State of \_\_\_\_\_, as owner, does hereby certify that said corporation caused the land described in the foregoing affidavit of (type or print name of surveyor), surveyor, to be surveyed, divided, mapped, and dedicated as represented on this plat.

In consideration of the approval of the plat by the Common Council and in accordance with Chapter 119 of the Milwaukee Code of Ordinances, the undersigned agrees:

a. That all utility lines to provide electric power and telephone service and cable television or communications systems lines or cables to all parcels in the map shall be installed underground in easements provided therefor, where feasible.

Note: Additional agreements between the city and owner shall also be included where applicable, for example, the removal of buildings or structures in public right-of-ways, and restrictions prohibiting direct access to major streets. Such applicable agreements shall be in the following form:

b. That the removal of buildings and structures and restoration of site within the dedicated public right-of-way in (street name) will be performed by the owner at no expense to the City of Milwaukee.

c. That direct vehicular access from Lot \_\_\_\_\_, Parcel \_\_\_\_\_, Block \_\_\_\_\_, to (street name) is prohibited.

This agreement shall be binding on the undersigned and assigns.

In witness whereof, the said (corporate name), has caused these presents to be signed by \_\_\_\_\_, its President; and countersigned by \_\_\_\_\_, its Secretary, at \_\_\_\_\_, Wisconsin, this \_\_ day of \_\_\_\_\_, 19\_\_.

In the presence of:

\_\_\_\_\_  
(Corporate Name)

\_\_\_\_\_  
(Witness)

\_\_\_\_\_  
(Type or print name), President

\_\_\_\_\_  
(Witness)

\_\_\_\_\_  
(Type or print name), Secretary

STATE OF WISCONSIN)

)ss.

MILWAUKEE COUNTY )

Personally came before me this \_\_ day of \_\_, 19 \_\_, President, and \_\_\_\_\_, Secretary of the above named corporation, to me known as the persons who executed the foregoing instrument, and to me known to be such President and Secretary of said corporation, and acknowledged that they executed the foregoing instrument as such officers as the deed of said corporation, by its authority.

(Notary Seal)

\_\_\_\_\_  
(Type or print name), Notary Public

State of Wisconsin

My commission expires \_\_\_\_\_.

My commission is permanent.



d. Form No. 4: Subdivision Plat.

**CONSENT OF INDIVIDUAL MORTGAGEE**

I, (type or print name), mortgagee of the above described land, do hereby consent to the surveying, dividing, mapping, restricting and dedication of the land described in the foregoing affidavit of (type or print name), surveyor, and I do hereby consent to the above certificate of (type or print name), owner.

Witness the hand and seal of (type or print name), mortgagee, this \_\_\_\_ day of \_\_\_\_, 19\_\_.

In the presence of:

\_\_\_\_\_  
(Witness)

(Type or print name)

STATE OF WISCONSIN)

)ss.

MILWAUKEE COUNTY )

Personally came before me this \_\_\_\_ day of \_\_\_\_, 19\_\_, the above named, to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

(Notary Seal)

\_\_\_\_\_  
(Type or print name), Notary Public  
State of Wisconsin

My commission expires \_\_\_\_\_

My commission is permanent.

**119-10-2-e Subdivision Regulations**

e. Form No. 5: Subdivision Plat.

**CONSENT OF CORPORATE MORTGAGEE**

(Corporate Name), a corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, mortgagee of the above described land, does hereby consent to the surveying, dividing, mapping, restricting and dedication of the land described in the foregoing of (type or print name), surveyor, and does hereby consent to the above certificate of (type or print owner's name).

In Witness Whereof, the said (corporate name), has caused these presents to be signed by \_\_\_\_\_, its President, and countersigned by \_\_\_\_\_, its Secretary, at \_\_\_\_\_, Wisconsin, this \_\_\_\_ day of \_\_\_\_\_, 19\_\_.

In the presence of:

\_\_\_\_\_  
(Corporate Name)

\_\_\_\_\_  
(Witness)

\_\_\_\_\_  
(Type or print name), President

\_\_\_\_\_  
(Witness)

\_\_\_\_\_  
(Type or print name), Secretary

STATE OF WISCONSIN)

)ss.

MILWAUKEE COUNTY )

Personally came before me this \_\_\_\_ day of \_\_\_\_, 19\_\_, \_\_\_\_\_, President, and \_\_\_\_\_, Secretary, of the above named corporation to me known to be the persons who executed the foregoing instrument, and to me known to be such President and Secretary of said corporation, and acknowledged that they executed the foregoing instrument as such officers as the deed of such corporation, by its authority.

\_\_\_\_\_  
(Type or print name), Notary Public

State of Wisconsin

My commission expires \_\_\_\_\_

My commission is permanent.

f. Form No. 6: Subdivision Plat.

**CERTIFICATE OF CITY TREASURER**

STATE OF WISCONSIN)

)ss.

MILWAUKEE COUNTY )

I, (type or print name), being the duly elected, qualified and acting City Treasurer of the City of Milwaukee, certify that in accordance with the records in the office of the City Treasurer of the City of Milwaukee there are no unpaid taxes or unpaid special assessments on any of the lands included in the plat of \_\_\_\_\_.

\_\_\_\_\_  
Date

\_\_\_\_\_  
(Type or print name), City Treasurer

## 119-10-2-g Subdivision Regulations

g. Form No. 7: Subdivision Plat.

# CERTIFICATE OF COUNTY TREASURER

STATE OF WISCONSIN)  
                                )ss.

MILWAUKEE COUNTY )

I, (type or print name), being the duly elected, qualified, and acting Treasurer of the County of Milwaukee, do hereby certify that the records in my office show no unredeemed tax sales and no unpaid taxes or special assessments as of \_\_\_\_\_ affecting the lands included in the plat of \_\_\_\_\_.

Date \_\_\_\_\_

(Type or print name), County Treasurer

h. Form No. 8: Subdivision Plat.

**COMMON COUNCIL RESOLUTION**

(Certified copy of Resolution)

File No. \_\_\_\_\_

Whereas, pursuant to Section 119-12 of the Milwaukee Code of Ordinances (name individual or corporate owners), owner of the plat of (name of plat), entered into an agreement relating to the installation of the required improvements in certain public ways, on (date); now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that the proper City Officers are authorized to execute said agreement for and on behalf of the City of Milwaukee and to record same in the office of the register of deeds for Milwaukee County; and be it

Further Resolved, By the Common Council of the City of Milwaukee, That the plat of (name of plat), being a subdivision of a part of the \_\_\_\_\_ (1/4 Section, etc.), in the City of Milwaukee, having been approved by the City Plan Commission and the Commissioner of Public Works, is approved.

Office of the City Clerk

Milwaukee \_\_\_\_\_  
(Date)

I certify that the foregoing is a copy of a resolution adopted by the Common Council of the City of Milwaukee on \_\_\_\_\_.

\_\_\_\_\_  
(Type or print name), City Clerk

## 119-11 Subdivision Regulations

### 119-11. Principles of Design. 1. GENERAL.

a. No land shall be subdivided which is unsuitable for such use by reason of flooding or bad drainage, adverse earth or rock formations or topography, or any other feature likely to be harmful to the health, safety, or welfare of the future residents in the proposed subdivision or of the community.

b. The subdivision layout shall conform to the official map.

c. The subdivider of a residential subdivision shall also submit an overall grading plan of the tract showing features of the land adjacent to the tract within a reasonable distance therefrom which tend to affect the surface run-off of the subdivision. The grading plan shall show how positive run-off of the surface waters from individual lots will be achieved and the means by which ultimate disposal of the subdivision's surface waters will be accomplished without creating adverse conditions on adjoining properties. The grading plan shall include interim erosion control measures to provide protection to adjoining lots within the subdivision to adjoining private properties, and to existing and proposed public improvements. The grading plan shall show the existing and proposed grade contours at one foot intervals and a typical location and tentative grade for proposed buildings on each lot. The requirement for a grading plan may be waived by the commission in instances where the subdivision or lots contain existing buildings.

2. STREET AND BLOCK LAYOUT. a. The street layout shall be in conformity with a plan of development of adjoining areas and the entire neighborhood.

a-1. All proposed streets shall be continuous and in alignment with existing planned or platted streets with which they are to connect.

a-2. Proposed streets shall be extended to the boundary lines of the tract to be subdivided, unless prevented by topography or other physical conditions, or unless such extension is not necessary or desirable for coordination with the surrounding street pattern. Dead-end streets of reasonable lengths will be approved where necessitated by topography, or where they are appropriate for the type of development contemplated.

a-3. Streets shall follow the contour of the land.

a-4. Streets shall intersect each other as nearly at right angles as topography, ownership lines, natural barriers and related conditions permit.

a-5. Not more than 2 streets shall converge at one intersection.

a-6. The commission may require that alleys be provided in blocks platted along major streets where no backing of lots is indicated.

a-7. Whenever a part of a dedicated or platted and recorded street, alley or other public way exists adjacent to the tract to be subdivided, the balance of such street, alley or other public way shall be platted, and the widths shall conform to the official map.

b. Blocks shall have sufficient width to provide for 2 tiers of lots.

b-1. The length of blocks shall be such as are appropriate for the locality and type of development contemplated.

b-2. In any block, the commission may require that a crosswalk or pedestrian way not less than 20 feet in width be platted near the center of such block where deemed essential to provide safe and convenient pedestrian access to schools, parks, playgrounds, public transportation and other community facilities.

b-3. The number of intersecting streets along major thoroughfares should be held to a minimum wherever practicable.

c. Accessways and private entrances opening on major streets or parkways shall be kept at a minimum. The commission may require that vehicular access to residential lots adjoining or adjacent to a major street or a parkway shall be provided by one of the following means:

c-1. Parallel streets, cul-de-sacs, U-shaped streets or short loops supplying frontage for lots backing onto the major street or parkway, in which case agreement shall be included on the face of the plat, prohibiting direct vehicular access to the lots from the major street and requiring the use of such parallel street for vehicular ingress and egress.

c-2. An alley at the rear of lots abutting and facing the major street or parkway, in which case, an agreement shall be included on the face of the plat prohibiting direct vehicular access to the lots from the major street or parkway and requiring the use of the alley for vehicular ingress and egress.

**3. MINIMUM RIGHT-OF-WAY WIDTHS OF STREETS, ALLEYS AND PEDESTRIAN WAYS.** a. The widths of all primary, collector, secondary and residential streets shall be as indicated on the official map.

b. Streets shall not be less than 60 feet in width.

c. All dead-end streets shall terminate in a turnaround having a right-of-way sufficient in size to inscribe a circle of at least 100 feet in diameter.

d. Alleys shall not be less than 20 feet in width.

e. Pedestrian ways shall be no less than 20 feet in width.

**4. STREET GRADES.** Street grades within the city of Milwaukee shall be as determined by the city engineer.

**5. INTERSECTIONS.** At alley intersections, a 10 foot cutoff having a hypotenuse approximately 14 feet in length shall be provided at each corner.

**6. LOTS.** a. Size. The size, shape and orientation of lots shall conform to the requirements of the zoning code and shall be appropriate for the location of the proposed subdivision and for the type of development contemplated.

b-1. Except as provided for in subd. 2, every lot or parcel in a subdivision plat or certified survey map shall front or abut onto a public street other than an alley.

b-2. Indirect access to a public street from one lot, parcel or outlot may be permitted through a private easement.

b-3. Land divisions creating 2 or more lots, parcels or outlots with access from a private street or road shall only be recommended for approval after receiving the following reports:

b-3-a. A report by the commissioner of public works indicating the adequacy of sewer and water facilities needed to serve the proposed divisions and the ability to provide refuse collection in a safe and efficient manner.

b-3-b. Reports from the chiefs of fire and police indicating the ability of proposed private roads or streets to provide adequate access for emergency vehicles. Private streets, drives, roads, or easements created under par. b shall not be designated as a separate lot, parcel or outlot and shall be included as part of one or

more of the lots or parcels or outlots adjoining thereto. In instances where the proposed land divisions are not adequately served by sewer and water facilities, the subdivider shall be required to enter into an out-of-program agreement pursuant to s. 119-12.

c. Residential lots shall have the width and area required by ch. 295. Lesser lot widths or areas may be recommended for approval in instances where variances have been granted by the board of zoning appeals.

d. Through lots and butt lots shall be avoided except as described in sub. 2-c.

e. Side lot lines shall be approximately at right angles to the street line on which the lot faces.

f. On a proposed lot or parcel containing an existing residential structure that is to remain in use, the setback, side yard and rear yard required by ch. 295 shall be provided between the existing structure and any proposed new lot lines of vacant parcels.

g. Lot lines shall follow municipal boundary lines whenever practicable.

**7. PRIVATE SEWERAGE DISPOSAL.** Lots within the city which are to be served by private sewerage systems (septic tanks) shall comply with those provisions of ss. 225-15 to 225-19 which are appropriate and also the provisions of sub. 9. A permit of the type specified in s. 225-15 issued by the commissioner of health shall constitute proof of compliance.

**8. UNDERGROUND ELECTRIC POWER, STREET LIGHTING, TELEPHONE AND CABLE TELEVISION SERVICE.** Where feasible, all electric power, street lighting, telephone and cable television or communication systems lines or cables shall be installed underground in easements provided therefore. It shall be the responsibility of the developer or property owner in cases of new construction or property development to give reasonable notice of such construction or property development to utility and cable communications systems companies.

**9. FLOOD PLAIN LIMITATION.** No lots served by public sanitary sewerage systems shall have less than 50% of their required lot area below an elevation that is at least 2 feet above the regional flood profile elevation or, where such data is not available, at least 5 feet above the maximum flood of record. Lots served by private sewerage systems (septic tanks) shall be more than one

## 119-12 Subdivision Regulations

acre in size and shall contain no less than 40,000 square feet of land that is at least 2 feet above the regional flood profile elevation or where such data is not available, at least 5 feet above the maximum flood of record.

**10. MODIFICATIONS AND EXCEPTIONS.** Where the subdivider or any public agency or department can show that, by reason of exceptional topographic or other physical conditions or upon the recommendation of the city engineer and commissioner of public works, strict compliance with any requirement of this chapter would cause practical difficulty or exceptional and undue hardship, the commission may waive such strict compliance so as to relieve such difficulty or hardship, provided that such relief may be granted without detriment to the public good and without impairing the intent and purposes of this chapter, or the desirable general development of the neighborhood and the community in accordance with the city's master plan. Any waiver granted shall be entered in the minutes of the commission setting forth the reasons which, in the opinion of the commission, justified the waiver.

### 119-12. Required Improvements.

**1. AGREEMENT WITH CITY.** The subdivider of a residential subdivision plat shall enter into an agreement with the city, in recordable form, referred to on the face of the plat, to guarantee the installation at the subdivider's own expense, subject to refund as provided in sub. 3, of the following facilities required by the common council and the commissioner of public works. The requirement for an agreement may be waived by the commissioner of public works in instances where all public improvements to serve the subdivision are available, the proposed public improvements to serve the subdivision are being undertaken as city sponsored projects under the current paving program, or where subdivision is proposed by a municipal agency and alternate sources of funding are provided.

a. Water mains, sanitary and storm water drainage facilities and laterals to the lot line, where connections to existing municipal systems can be practically provided, in accordance with city specifications; provided, however, that in areas where a subdivision cannot be practically served by existing municipal systems, the subdivider or an agent

shall provide sewer, water and drainage facilities in accordance with the standards and specifications of the commissioner of health and commissioner of public works.

b. Surfacing for streets, alleys and pedestrian ways shown on the plat with the type of pavement approved by the commissioner of public works and in accordance with approved city plans and specifications.

c. Concrete sidewalks along both sides of every street in a residentially zoned area, and along at least one side of every street in areas zoned other than residential shown on the plat, in accordance with applicable standard specifications of the department of public works; provided, however, that the common council may waive or defer any or all of these requirements.

d. Street lighting facilities in all streets, alleys and pedestrian ways shown on the plat with the type of lighting standard approved by the commissioner of public works and in accordance with approved city plans and specifications; provided, however, that the city shall participate in 50% of the full cost of installation of the street lighting facilities.

e. This subsection shall not be deemed an elimination of the city program of construction. The charge for the work done by the subdivider shall be deemed to be special assessments, duly authorized, made and levied. The payment, however, or such special assessments shall be made as provided in this section.

**2. APPROVAL.** Adequacy of such facilities shall be subject to the approval of the commissioner of public works and the common council.

**3. REFUNDS.** After January 1 of the year following the completion of the required improvements, the city shall refund to the developer the following:

a. The excess cost of water mains, storm sewers and sanitary sewers in instances where anticipated service beyond the limits of the developer's ownership has required such water mains, storm sewers and sanitary sewers to be installed in sizes larger than those required to serve the particular subdivision under present consideration and where, in the opinion of the commissioner of public works, other unusual requirements such as stream crossings or railroad crossings have abnormally



increased the cost of water supply mains, outlet storm sewers and outlet sanitary sewers outside the subdivision, at a rate per lineal foot to be determined by the commissioner of public works and approved by the common council.

b. The excess cost of street construction in instances where a roadway width in excess of 36 feet or a half width in excess of 18 feet is required.

c. The amount of all special assessments levied against property outside the subdivision because of water mains, storm sewers, sanitary sewers and street, alley or pedestrian way paving required to be installed outside the subdivision or in boundary streets.

d. On boundary streets, the non-assessable portion of the cost of storm sewers, sanitary sewers, water mains and street paving not provided for under pars. a and b and pertinent to the side of the street opposite the subdivision, such refund to be limited to an amount which, when combined with the special assessment, if any, as provided for under par. c, would not exceed the amount of the product of the length of boundary street involved and the normal rate of assessment in effect at the time the work is placed under contract. No refunds shall be made under this subsection in instances where the property on the side of a boundary street opposite the subdivision lies outside the corporate jurisdiction of the city or in instances where a dual system of services is prescribed by the commissioner of public works.

e. On streets adjacent to lands dedicated to the city at no cost to the city for a public purpose, that portion of the cost of sanitary sewers, storm sewers, water mains, and street paving not provided for under pars. a or b and pertinent to the side of the street adjacent to the lands so dedicated, such refund not to exceed the amount of the product of the length of street adjacent to said land and the normal rate of assessment in effect at the time the work is placed under contract.

4. PERMITS. a. The commissioner of city development shall not issue building permits for any dwelling, other than model homes, on a lot until all proposed improvements abutting the lot have been placed under contract, except that in instances where:

a-1. Two-stage pavement construction is specified, permits may be issued subsequent to the award of a contract for the first stage

provided payment for the 2nd stage has been guaranteed by a cashier's check deposited with the commissioner of public works or by certification from the developer's bank that the bank is holding the required funds and will upon simple request release same to the city as required for 2nd stage pavement construction; or

a-2. A lot having public right-of-way frontage on 2 or more sides has available the necessary public improvements to serve the lot on at least one of its frontages, but the developer is precluded by governmental action from installing required improvements on the remaining lot frontages, the council may by resolution specify the conditions under which a building permit may be issued for the lot.

b. The commissioner of city development shall not issue occupancy permits for any dwelling on a lot until the proposed improvements abutting said lot have been completed, except that in instances where:

b-1. Two-stage pavement construction has been specified, such permits may be issued subsequent to completion of the first stage, provided payment for the 2nd stage has been guaranteed as stipulated in par. a; or

b-2. The developer is precluded by governmental action from installing the required improvements on all right-of-way frontages, but the necessary public improvements are available to serve at least one of the 2 or more frontages, the permit may be issued prior to installation of all the improvements if the council has adopted a resolution specifying the conditions under which a building permit may be issued.

#### 119-13. Required Dedications or Reservations.

1. The owner of lands in a final subdivision plat shall indicate on the face of said plat reservations or dedications to the city for public streets, alleys or other public ways as shown on the official map. Final plats will not be considered or approved until such reservations or dedications are so indicated.

2. The owner of lands in a final certified survey map shall indicate on the face of the map a reservation or a dedication to the city for public streets, alleys or other public ways as shown on the official map. The above requirements shall not apply where the required right-of-way reservation or dedication contains existing structures or parts thereof.

## 119-14 Subdivision Regulations

**119-14. Monumentation.** 1. All final subdivision plats shall be monumented in accordance with the following requirements:

a. All of the monuments required in this subsection shall be placed flush with the ground where practicable.

b. The external boundaries of a subdivision shall be monumented in the field by monuments of concrete containing a ferrous rod 1/4 inch in diameter or greater imbedded its full length, not less than 30 inches in length, not less than 4 inches square or 5 inches in diameter, and marked on the top with a cross, brass plug, iron rod or other durable material securely embedded; or by iron rods or pipes at least 30 inches long and 2 inches in diameter weighing not less than 3.65 pounds per lineal foot. Solid round or square iron bars of equal or greater length or weight per foot may be used in lieu of pipes wherever pipes are specified in this section. These monuments shall be placed at all corners, at each end of all curves, at the point where a curve changes its radius, at all angle points in any line and at all angle points along the meander line, said points to be not less than 20 feet back from the ordinary high water mark of the lake or from the bank of the stream, except that when such corners or points fall within a street, or proposed future street, the monuments shall be placed in the side line of the street.

c. All internal boundaries and those corners and points not required to be marked by par. b shall be monumented in the field by like monuments as defined in par. b. These monuments shall be placed at all block corners, at each end of all curves, at the point where a curve changes its radius, and at all angle points in any line.

d. All lot, outlot, park and public access corners and the corners of land dedicated to the public shall be monumented in the field by iron pipes at least 24 inches long and one inch in diameter, weighing not less than 1.13 pounds per lineal foot, or by round or square iron bars at least 24 inches long and weighing not less than 1.13 pounds per lineal foot.

e. The lines of lots, outlots, parks and public access and land dedicated to the public that extend to lakes or streams shall be monumented in the field by iron pipes at least 24 inches long and one inch in diameter weighing not less than 1.13 pounds per lineal foot, or by round or square iron bars at least 24

inches long and weighing not less than 1.13 pounds per lineal foot. These monuments shall be placed at the point of intersection of the lake or stream lot line with a meander line established not less than 20 feet back from the ordinary high water mark of the lake or from the bank of the stream.

f. Any durable metal or concrete monuments may be used in lieu of the iron pipes listed in pars. d and e provided that they are uniform within the platted area and have a permanent magnet embedded near the top or bottom or both.

g. The placing of monuments as required in pars. c to e only with respect to subdivision plats may be waived by the city engineer for a reasonable time on condition that the subdivider execute a surety bond to the city to insure that the monuments will be placed within the time required.

2. All final certified survey maps shall be monumented in accordance with the following requirements:

a. All corners shall be monumented in accordance with sub. 1-d and e.

b. In cases where strict compliance with this section would be unduly difficult or would not provide adequate monuments, the city engineer may waive such strict compliance.

**119-15. Accuracy of Survey.** The city engineer shall examine final plats and certified survey maps within the city and make field checks for the accuracy and closure of survey, proper kind and location of monuments, the location, widths, names of all existing or platted streets, alleys, pedestrian ways or other public ways and easements, railroad and utility rights-of-way, parks, cemeteries, drainage ditches, water courses, bridges and other permanent or temporary structures and other public space and legibility of the drawing. If such a field check discloses an error in any line of the survey greater than the ratio of 1:5000, or error in measured angles greater than one minute for any angle where the shorter side forming the angle is 300 feet or longer, necessary corrections shall be made by the surveyor. Where the shorter side of a measured angle is less than 300 feet, the error shall not be greater than the sum of 300 divided by the length of the shorter side multiplied by one minute; however, such error shall not exceed 5 minutes. If such examination discloses a

mathematical closure error of more than 1/100 of a foot in either latitude or departure or an angle error of more than one second in any given angle, the necessary corrections shall be made by the surveyor.

**119-16. Enforcement.** No department, bureau, board, commission or employee of the city shall issue any permit or license or shall plan for the installation of sewer or water connections to any lot, plot, parcel or building site which is part of a certified survey map or a subdivision which has not been approved in accordance with this chapter, if this chapter requires such certified survey map or subdivision to be so approved. The commissioner is empowered to enforce this chapter and to initiate the action to impose the penalties provided in s. 119-17.

**119-17. Penalties.** Any person, firm, company or corporation who violates or fails to comply with this chapter, shall be subject to a forfeiture of not less than \$25, nor more than \$200, together with the cost of prosecution, and in default of payment shall be imprisoned in the house of correction or in the Milwaukee county jail until such fine and costs are paid, such imprisonment not to exceed 6 months. Compliance may also be enforced by injunction at the suit of the city. It shall not be necessary to prosecute for fine or imprisonment before resorting to injunction proceedings.

## 119-- (HISTORY) Subdivision Regulations

### LEGISLATIVE HISTORY CHAPTER 119

#### Abbreviations:

am = amended  
cr = created

ra = renumbered and amended  
rc = repealed and recreated

rn = renumbered  
rp = repealed

<u>Section</u>	<u>Action</u>	<u>File</u>	<u>Passed</u>	<u>Effective</u>
Ch. 119	rn from ch. 9	881465	11/18/88	12/9/88
119-8-2-f	rc	020084	5/14/2002	6/1/2002
119-10-2-f	rc	020084	5/14/2002	6/1/2002
119-11-6-a	am	020676	11/6/2002	11/23/2002
119-11-6-b	rc	950288	3/5/96	3/22/96
119-11-7	am	951346	1/23/96	2/9/96
119-12-4-a-0	am	980963	12/18/98	1/1/99
119-12-4-b-0	am	980963	12/18/98	1/1/99